

- The permittee of a valid permit is authorized to retain possession of materials listed after the permit expires.

## 2. Notice Prior to Pesticide Application 3CCR § 6618

Scope: For all pesticides

- Any person performing pest control must assure that the operator of the property receives notice of the scheduled application. The notice must be made prior to the use of a pesticide and in ample time for all subsequent notices to be made and for the persons notified to take appropriate action. A notice of completion is also required for applications made for the production of an agricultural commodity. (3CCR § 6619)
- The operator of the property and any PCB, farm labor contractor or other contractor hired by the operator of the property that have employees who are likely to enter a field during an application or while the REI is in effect must notify those employees. Handler and fieldworker employees who may walk within ¼ mile of a field that will receive an application or during a REI are deemed in regulation as likely to enter.
- The operator of the property must provide notice to any person for which they have prior knowledge may enter a treated area during an application or while the REI is in effect.

Verify that the required information is provided in notices. Ask the manager inspected what procedures are used to notify employees, contractors and others of scheduled applications. Ask fieldworkers and/or handler employees what notifications they have received and how they receive them.

Persons utilizing legal easements are exempt from needing consent from the property owner but are not exempt from notification requirements.

Exemptions:

- Persons who applied or supervised the application.
- The oral notice is not required when a field is posted as specified in 3CCR § 6776 (b-f), unless the pesticide product labeling requires dual notification. Posting of the federal (stern face and hand format) sign does not meet this requirement. **(This exemption applies only to employee notification, not to the notice from the applicator to the operator of the property).**
- Structural PCBs in compliance with B&P Code § 8538 (check “YES” if in compliance).
- Public agencies in compliance with FAC § 12978 (check “YES” if in compliance).
- Public agencies or their contractors operating under a cooperative agreement with the Department of Health Services pursuant to section 116180 of the Health and Safety Code. (3CCR § 6620)

### **3. Application Completion Records / 2 Years 3CCR § 6619**

#### **Scope**

- Any person applying pesticides for the production of an agricultural commodity must assure that the operator of the property receives notice of the scheduled application. The notice must be made within 24 hours of the completion of an application.
- The operator of the property and any PCB, farm labor contractor or other contractor hired by the operator of the property that have employees who are likely to enter a field while the REI is in effect must notify those employees. Handler and fieldworker employees who may walk within ¼ mile of a field during a REI are deemed in regulation as likely to enter.
- The operator of the property must provide notice to any person for which they have prior knowledge may enter a treated area while the REI is in effect.

Verify that any person applying pesticides for the production of an agricultural commodity are providing notice to the operator of the property treated within 24 hours of completion of the pesticide application. Verify that the operator of the property is informed of applications completed by the operator's employees.

Review the property operator's records of each notice received from PCBs by site. Although the notice provided by the PCB does not have to be in writing, the operator must maintain a record of each completion notice received by site. This record could be a work order or a copy of a written recommendation provided by the pest control business or an application log kept by the grower or a copy of a use report provided by the PCB. Do the records contain the required information? Are the records maintained by site? Records of completed applications made by the property operator (or employees of the property operator) are not required to be kept by site.

The property operator may designate an employee to receive the notice from PCBs but the property operator is responsible for providing this notice to employees, contractors (and their employees) and other persons likely to enter the restricted field. The property operator may be notified by any of the following methods:

- Direct communication
- Post or leave the notice in a designated location on operator's property.
- Record the notification on phone recorder.
- Send the notice via fax machine.

Verify that the property operator is providing notices of completed applications to his/her fieldworker employees, contracted employers of fieldworker employees and other persons likely to enter the field during the REI. Ask fieldworkers how they receive these notices. Determine how the property operator assures that contracted employers provide notice to their fieldworker employees.

Exemptions:

- Employees and employers that will not walk within ¼ mile of the field during the REI.
- The oral notice is not required when a field is posted as specified in 3CCR § 6776 (b-f), unless the pesticide product labeling requires dual notification. Posting of the federal (stern face and hand format) sign does not meet this requirement. **(This exemption applies only to employee notification, not to the notice from the applicator to the operator of the property).**

#### **4. Operator Identification Number Obtained 3CCR § 6622**

Scope: Persons using registered pesticides for an agricultural use, an industrial post-harvest commodity treatment, or any pesticide listed in 3CCR § 6800[b] for any outdoor institutional or outdoor industrial use.

Each property operator shall provide the commissioner with a list of the counties in which pest control will be performed, and all valid operator identification number(s) issued by other commissioners.

When the person being inspected has a restricted material permit, the permit number is the operator ID number. Check “YES” on the inspection form.

Exemptions:

- Pest control businesses.
- Property operators of non-production agricultural sites when pesticides are purchased and applied by PCBs.
- Persons using pesticides only on livestock, poultry or fish.

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